

§ 1702.12

§ 1702.12 Accounting of disclosures.

(a) OFHEO shall keep an accurate accounting of the date, nature, and purpose of each disclosure of a record, and the name and address of each person or agency to whom a disclosure was made under §1702.11, except for disclosures made under §1702.11(a)(3) or (a)(6)(i). OFHEO shall retain such accounting for at least 5 years or the life of the record, whichever is longer, after the disclosure for which the accounting was made.

(b) When a record has been amended, in whole or in part, or when a statement of disagreement has been filed, a copy of the amended record and any statement of disagreement must be provided, and any statement of explanation may be provided, to all prior and subsequent recipients of the affected record whose identities can be determined pursuant to the disclosure accountings required under paragraph (a) of this section.

[63 FR 8844, Feb. 23, 1998. Redesignated and amended at 65 FR 81327, Dec. 26, 2000]

§ 1702.13 Requests for accounting of disclosures.

(a) Any individual may request an accounting of disclosures of records about him/her for which an accounting is required to be maintained under §1702.12(a) by submitting a written request to the Privacy Act Officer, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW., Fourth Floor, Washington, DC 20552. Before processing the request, the Privacy Act Officer may require that the individual provide the identifying information specified under §1702.6.

(b) The Privacy Act Officer shall make available the accounting of disclosures required to be maintained under §1702.12, except for an accounting made under §1702.11(a)(6)(v).

[63 FR 8844, Feb. 23, 1998. Redesignated and amended at 65 FR 81327, Dec. 26, 2000]

§ 1702.14 Fees.

OFHEO shall not charge any fees for providing a copy of any records, pursuant to a request for access under this part.

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§ 1702.15 Preservation of records.

OFHEO shall preserve all correspondence relating to the written requests it receives and all records processed pursuant to such requests under this part, in accordance with the records retention provisions of General Records Schedule 14, Informational Services Records. OFHEO shall not destroy records that are subject to a pending request for access, amendment, appeal, or lawsuit pursuant to the Privacy Act.

§ 1702.16 Rights of parents and legal guardians.

For purposes of this part, a parent of any minor or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction may act on behalf of the individual.

§ 1702.17 Penalties.

The Privacy Act (5 U.S.C. 552a(i)(3)) makes it a misdemeanor, subject to a maximum fine of \$5,000, to knowingly and willfully request or obtain any record concerning an individual from OFHEO under false pretenses.

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